THE HON'BLE SRI JUSTICE C.V. RAMULU

Friday, 22nd June, 2006

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W.P.No.22353 of 2005

Between:

Menni Ramakrishna Rao & 2 others … Petitioners

and

The Executive Engineer,

ISRMC, Indira Sagar Right Main Canal

Division, Kovvur, West Godavari District,

& 2 others … Respondents

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W.P.No.22353 of 2005

ORAL ORDER:

Heard both sides.

The only complaint of the petitioners is that for the purpose of digging a canal in respect of Lift I Distributory canal of Thadipudi Lift Irrigation Scheme, earlier there was an approved plan, but that is sought to be deviated in the guise of revised approved plan. Under those circumstances, they made a representation on 10-9-2005 stating that the excavation is going on across the lands in Survey Nos.38, 39, 45, 46, 47, 52, 53, 54 and 980 of Saggonda village and the lands on both sides of the canal will become useless and cannot be put to cultivation. Some of the ryots are small farmers. If the canals are permitted to be dug as per the revised plan, it would not only cause prejudice to their interest, but also will not serve the very purpose for which the canals are sought to be dug.

In view of the above, without expressing any opinion on merits, respondent No.1 is directed to dispose of the representation purported to have been made by the petitioners on 10-9-2005 after putting them on notice and hearing them and pass appropriate orders, within a period of four (4) weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No order as to costs.

23-6-2006

prk